

Draft FMP Biological Opinion for Seven Fisheries in the Northeast

Section 7(a)(2) of the Endangered Species Act (ESA) (16 U.S.C. 1531 *et seq.*) requires that each Federal agency shall ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat of such species. When the action of a Federal agency may affect marine species listed as threatened or endangered, that agency is required to consult with the NOAA Fisheries. In instances where NOAA Fisheries is proposing an action that may affect listed species, the agency must conduct intra-service consultation.

NOAA Fisheries Northeast Regional Office's Sustainable Fisheries Division has reinitiated formal intra-service consultation with the Protected Resources Division on the continued operation of seven fisheries as authorized by our agency under the authority of the Magnuson-Stevens Fishery Conservation and Management Act. Fisheries considered here are the: (1) Northeast multispecies, (2) monkfish, (3) spiny dogfish, (4) Atlantic bluefish, (5) Northeast skate complex, (6) Atlantic mackerel/squid/butterfish, and (7) summer flounder/scup/black sea bass fisheries. Reinitiation of these consultations is necessary as these fisheries may affect five distinct population segments of Atlantic sturgeon that were newly listed as threatened or endangered on February 6, 2012.

Our approach to this requirement has been to examine the relevant fishery management plans as a “batch,” in one consultation, examining Atlantic sturgeon interaction with seven fisheries by gear types. The seven fisheries included in this **Biological Opinion** use the two types of gear, sink gillnets and bottom otter trawls, known to interact most with Atlantic sturgeon. The consultation also considers potential effects of these gear types on other ESA-listed species in the action area. NOAA Fisheries as the action agency has chosen to make the draft Biological Opinion available for review for 60 days. We hope to ensure the draft Biological Opinion is complete and accurate. The review period is focused on the draft Biological Opinion only. This comment period is not intended to solicit comments on the ESA listing status of Atlantic sturgeon, nor on the fisheries management actions addressed in the fishery management plans. Anyone wishing to submit comments to us for consideration may do so by **July 19, 2013** through **nmfs.ner.batchfmpbiop@noaa.gov**.

Thank you!

Supporting Documents

- **Draft FMP Biological Opinion for Atlantic Sturgeon**
- **Summary of Discard Estimates for Atlantic Sturgeon**
- **Composition of Atlantic Sturgeon in Rivers, Estuaries and in Marine Waters** (UPDATED 05/30/13)
- **Atlantic Sturgeon Population Index for ESA Management Analysis**

Link: http://www.nero.noaa.gov/mediacenter/2013/05/draft_fmp_batch_biop.html